

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

JEFFREY S. BLANEY,

Plaintiff-Appellant,

v.

No. 00-6440

G. F. DRISCOLL, Law Librarian,

Defendant-Appellee.

Appeal from the United States District Court  
for the Eastern District of Virginia, at Alexandria.  
T. S. Ellis, III, District Judge.  
(CA-98-1449-AM)

Submitted: September 29, 2000

Decided: October 13, 2000

Before WIDENER, MOTZ, and TRAXLER, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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**COUNSEL**

Jeffrey S. Blaney, Appellant Pro Se. Samuel Lawrence Dumville, Virginia Beach, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See  
Local Rule 36(c).

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## OPINION

### PER CURIAM:

Jeffrey S. Blaney appeals from the district court's decisions denying injunctive relief, refusing to appoint counsel, denying leave to amend, and entering partial summary judgment in favor of Appellee G.F. Driscoll, the law librarian at Virginia Beach City Jail. We grant Blaney's motion to amend his notice of appeal, which cures one jurisdictional defect affecting his claims. Nevertheless, we dismiss his appeal for want of jurisdiction.

After filing this 42 U.S.C.A. § 1983 (West Supp. 2000) action, Blaney was transferred from Virginia Beach to an Illinois prison; thus, his requests for injunctions against Driscoll are moot, see Weinstein v. Bradford, 423 U.S. 147, 148-49 (1975) (per curiam), as is his motion for an injunction barring his transfer to Illinois, see Railway Labor Executives Ass'n v. Chesapeake W. Ry., 915 F.2d 116, 118-19 (4th Cir. 1990). As for the district court's procedural rulings, this Court ordinarily may not entertain interlocutory appeals from the refusal to appoint counsel, see Miller v. Simmons, 814 F.2d 962, 964 (4th Cir. 1987), or the denial of leave to amend, see Kahn v. Chase Manhattan Bank, N.A., 91 F.3d 385, 388 (2d Cir. 1996); Kartell v. Blue Shield, 687 F.2d 543, 551 (1st Cir. 1982). Finally, the order granting partial summary judgment is not properly before the Court because the district court has not certified this partial judgment for immediate appeal. See Fed. R. Civ. P. 54(b).

For these reasons, we dismiss Blaney's appeal for lack of jurisdiction. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

### DISMISSED